



Food Safety Modernization Act (FSMA)

What is the FSMA?

The Food Safety Modernization Act, or FSMA, was signed into law by President Obama in 2011. It will be a set of new or enhanced rules regarding human food and animal feed production, which will involve inspections and record-keeping requirements to improve traceability from raw materials through production and delivery to the consumer.

Why is the FSMA needed?

Though many large food production and manufacturing operations have had food safety plans in place for quite some time, the new and enhanced rules that the FSMA will require regarding human food and animal feed production are intended to minimize risk to our food supply from nature, human error and other vulnerabilities.

How does the FSMA affect Nevada consumers?

Nevada has a fairly robust food human safety system in place. There are many overlapping regulations created in the FSMA, but in Nevada, the food safety side of FSMA will be relatively straightforward.

How will FSMA make my food safer?

FSMA rules will require inspections, record keeping and traceability from raw material sources through processing, production, packaging, manufacturing, and sale to the end user. The intent is to minimize risk to our food supply by:

- Verifying sources
- Monitoring the processing
- Building in safety verification points
- Inspecting packaging
- Inspecting transportation resources
- Providing traceability to the retailer

All of this helps improve the safety of your food at every stage, protecting you from food-borne illness.

How does FSMA affect Nevada agricultural operations, large and small?



Small agricultural businesses that sell more than half of their products directly to consumers within a 400-mile radius and gross less than \$500,000 are exempt from the FSMA rules. As long as an operation selling in Nevada is

certified in Nevada (as a producer OR as an organic producer OR as a produce vendor), they are considered traceable.

The animal feed side of FSMA in Nevada will require a new system because in Nevada, animal feeds are not currently registered or inspected. Under the new rules Nevada will need to add staff, equipment and data storage capabilities. In the Nevada Legislature, Senate Bill 495 established the necessary laws and provides for a “feed registration system” to fund the cost mandated by FSMA.

A registry of medicated feeds and individual drugs offered for sale in Nevada will need to be created. Through inspections and audits, the Nevada Department of Agriculture (NDA) will verify the proper prescriptions and drug usage to assure compliance with the FDA rules. By registering all drugs or medicated feeds that are offered for sale in Nevada, NDA can create a data base of drugs to be inspected and audited and generate the funding to support staff and equipment to perform the program services.

Who is implementing the FSMA in Nevada?

The US Food and Drug Administration (FDA) is developing specific rules for both human foods and animal feed products, to be overseen by both the Health Department and the NDA. The enhanced oversight is intended to eliminate as many risks as possible. If a food safety event does occur, the traceability and record keeping will help determine the source of the issue and provide direction to eliminate future problems.



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What are Nevada's next steps?

Once the rules are completed in September 2015, the NDA will evaluate the rules and develop a program. The NDA will also consider recommendations and standards set by the Association of American Feed Control Officials.

Below are what fees surrounding states are charging for similar programs:

When will the FSMA be effective in Nevada?

The FSMA rules must be completed by the FDA September 2015, and will be implemented in phases starting with the largest producers. The rules are proposed to be totally implemented for all producers within 3 years of the start date.

Where can I find more information?

Visit the U.S. Food and Drug Administration's website at www.fda.gov.

| 2014 Western States Manufactured Animal Feed Labeling Registration Fees | | | |
|---|-----------------------|-------------------------------|------------|
| State | Livestock Animal Feed | Fee | Pet Food |
| Arizona | No | NA | No |
| California | Yes | \$400 | Yes |
| Idaho | Yes | \$40 | Yes |
| New Mexico | Yes | \$27 + \$0.15/ton | Yes |
| Oregon | Yes | \$100/ facility | Yes |
| Utah | Yes | \$55 | Yes |
| Washington | Yes | \$50 | Yes |
| Nevada | Yes | \$75/year + \$0.15/ton | Yes |

| Veterinarian Biologic Fee By State | | |
|------------------------------------|---------------------------|-------------|
| State | Veterinarian Biologic Fee | Fee |
| Arizona | No | |
| California | Yes | \$100 |
| Idaho | No | |
| New Mexico | No | |
| Oregon | Yes | \$75 |
| Utah | No | |
| Washington | Proposed | Unknown |
| Nevada | Yes | \$75 |